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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,409	07/24/2003	Bruno Richard	B-5180 621124-3	2830

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EXAMINER
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DAILEY, THOMAS J

ART UNIT	PAPER NUMBER
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2152

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/627,409	<b>Applicant(s)</b> RICHARD ET AL.	
	<b>Examiner</b> Thomas J. Dailey	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/15/2003</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-19 are pending in this application.

#### ***Specification***

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." On pages 1 and 16 of the specification the applicant makes reference to Request For Comments 2131 and on page 8, a reference to RFC 1928 was made. Neither of these references was listed on a proper information disclosure statement, nor were any copies received. Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

#### ***Claim Objections***

3. Claims 4-5 and 14-16 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

4. Claims 1, 6, and 14-17 objected to because they are missing the article "A" at the start of the claim. They should recite "A process," "An apparatus," "A router," and "A printer." Appropriate correction is required.
5. Claims 2-5, 7-13, and 18-19 are objected to do to the fact they recite, "Process according to claim..." They are dependent claims and are missing the article "The," i.e. "The process according to claim ..." Appropriate correction is required.
6. Claims 17-18 are objected to because they contain out of place number labels: claim 17, lines 4 ("302") and 6 ("310"); claim 18, lines 2 ("311") and 3 ("313"). Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
8. Claims 3-4 and 8-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. Claim 3 recites the limitation "the elaboration of said network environment" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 4 recites the limitation "the experience" in line 2. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 8 recites the limitation "the Media access control parameter" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 9 recites the limitation "the particular device" in line 3. There is insufficient antecedent basis for this limitation in the claim.

13. Claim 10 recites the limitations "the sub network," "the Address Resolution Protocol and NSLOOKUP information," and "the Domain Name Servers," in lines 3-4. There is insufficient antecedent basis for these limitations in the claim.

14. Claims 11 and 12 recite the limitation "the reference" in line 2. Claim 12 additionally recites "the gateway" in line 2. There is insufficient antecedent basis for these limitations in the claims.

***Claim Rejections - 35 USC § 102***

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2152

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1-2, 6, 13, and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Droms (RFC 2131, "Dynamic Host Configuration Protocol").

17. As to claim 1, Droms discloses a process for distributing network configuration settings throughout a network comprising a set of devices, including the steps of:

- establishing in at least one device a description of the network environment (sec. 4.2, DHCP server contains IP address information);
- detecting in said at least one device a request for network parameters issued from a newly connected requesting device (sections 3.1.1-3.1.2, the client reads on "a newly connected requesting device")
- starting a first timer with a first period dependent on a predetermined criterion (sec. 3.1.5, the lease reads on a timer);
- transmitting to said requesting device network settings after the expiration of said first period (4.3.2 DHCPOFFER (network settings) message will come from the DHCP server when the lease expires and a DHCPREQUEST is made).

18. As to claim 6, Droms discloses a process for distributing an Internet Protocol (IP) throughout a network including at least one device comprising a network parameter allocation (NPAA) agent performing the steps of:

detecting a Dynamic Host Control Process (DHCP) request issued by a newly connected requesting device (sections 3.1.1-3.1.2, the client reads on "a newly connected requesting device)

starting a first timer with a first duration T.sub.1 (sec. 3.1.3)

testing whether said DHCP request received a response from a DHCP server (sec. 3.1.3)

terminating the process in response to the detection of said response within said first duration (sec. 3.1.5)

starting a second timer with a second duration T.sub.2 which is computed from a set of predetermined criteria and completing said process if an answer to said DHCP request is detected during said second duration T.sub.2 (sections 3.1.3-3.1.4, the process is continued if the client receives a DHCPOFFER message before a timeout);

computing an IP address after the expiration of said second duration T.sub.2 (sec. 3.1.4);

forwarding a DHCP reply containing said computed IP address to said newly connected requesting device (sections 3.1.4-3.1.5).

19. As to claim 17, Droms discloses a process for assigning a IP address in a client device having at least one configuration file comprising at least one set of configuration parameters, said process comprising the steps of:

generating and transmitting (302) a Dynamic Host Control Protocol (DHCP) request to said network (sections 3.1.1-3.1.2);

if no answer is received, testing (310) the existence of one gateway corresponding to one particular set of parameters among said at least one set of configuration parameters and, if so, loading and applying said particular set of parameters (sections 3.1.1-3.1.2, if no DHCPOFFER message is received, the steps are repeated where the DHCPDISCOVER message reads on "testing" and any DHCP server reads on "one gateway").

20. As to claim 2, Droms discloses the network configuration settings include an Internet Protocol address (Abstract and sec. 3.1.2).

21. As to claims 13, Droms discloses distributing a booting image to said newly connected requesting device (sec. 1.2 paragraphs 1 and 2).

22. As to claim 18, Droms discloses the step of determining a particular context corresponding to the booting of said device and loading the network configuration settings corresponding to said context (sec. 3.1.5).

***Claim Rejections - 35 USC § 103***

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 3, 7, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Droms as applied to claims 1 and 6 above, and further in view of Cole et al. (US Pat. 5,854,901), hereafter "Cole."

25. As to claim 3, Droms discloses the invention substantially with regard to the parent 1, but does not disclose an elaboration of said network environment is performed via access to Address Resolution Protocol tables and NSLOOKUP tables available in the network.

However, Cole discloses an elaboration of said network environment is performed via access to Address Resolution Protocol tables and NSLOOKUP tables available in the network (Abstract, lines 10-18).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Droms and Cole in order to utilize the commonly used ARP tables to acquire Network address information.

26. As to claim 7, Droms discloses the invention substantially with regard to the parent 6, but does not disclose the second timer is disregarded when said device is a router. Rather, all devices are treated the same way in Droms' system.

However Cole discloses handling address assignment for routers differently, specifically by not utilizing timers (column 3, lines 55-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Droms and Cole in order more easily assign IP addresses to routers which make up the back bone of any IP network.

27. As to claim 10, Droms discloses the invention substantially with regard to the parent 6, but does not disclose said computing step is based on the use of the IP addresses assigned to the sub network the Address Resolution Protocol (ARP) and NSLOOKUP information received from the Domain Name Servers (DNS). Rather, all devices are treated the same way in Droms' system.

However Cole discloses a computing step is based on the use of the IP addresses assigned to the sub network, the Address Resolution Protocol (ARP) and NSLOOKUP information (column 3, lines 44-64) received from the Domain Name Servers (DNS) (column 2, lines 11-27).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Droms and Cole in order more easily assign IP addresses based upon priority information that can be received from readily accessible network devices.

28. As to claim 11, Droms discloses the invention substantially with regard to the parent 6, but does not disclose distributing the reference to an existing Hyper Text Transfer Protocol (HTTP) proxy.

However Cole discloses distributing the reference to an existing Hyper Text Transfer Protocol (HTTP) proxy (column 2, lines 28-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Droms and Cole in order to utilize a widely used protocol to carry out Droms' system.

29. As to claim 12, Droms discloses the invention substantially with regard to the parent 6, but does not disclose distributing the reference of the gateway.

However Cole discloses distributing the reference of the gateway (column 3, lines 55-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Droms and Cole in order include gateway devices, such as a router, in Droms' system.

30. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Droms as applied to claim 6 above, and further in view of Taniguchi (US Pat. 6,928,282).

31. As to claim 8, Droms discloses the invention substantially with regard to the parent 6, but does not disclose said second duration T.sub.2 is derived from a computation of both the Media Access Control (MAC) parameter of said device and said newly connected requesting device. Rather, all devices are treated the same and no priority is given to any device when calculating the times.

However, Taniguchi discloses assigning addresses based upon priority values and this will inherently include time values that are associated with parameters of the prioritized device (column 8, lines 32-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Droms and Cole in order to

have devices that have higher priority (Taniguchi's system) have different time periods in DHCP server interactions than lower priority devices.

32. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Droms as applied to claim 17 above, and further in view of Liming (US Pub. No. 2002/0055924).

33. As to claim 19, Droms discloses the invention substantially with regard to the parent 17, but does not disclose said context is determined from the location of the device, as returned by a GPS receiver.

However, Liming discloses said context is determined from the location of the device, as returned by a GPS receiver [0014].

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Liming and Droms in order more easy manage IP addresses by utilizes the geographic information of the devices requesting addresses.

### ***Conclusion***

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is

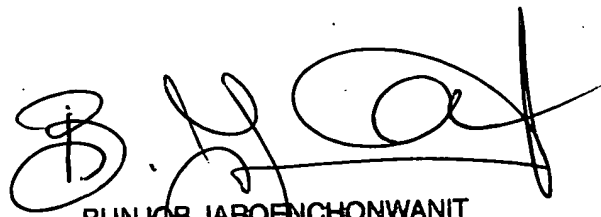
571-270-1246. The examiner can normally be reached on Monday thru Friday;  
9:00am - 5:00pm.

35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

36. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TJD  
3/12/2007



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